

TWENTY-THIRD DAY.

(Continued.)

(Saturday, February 9, 1929.)

The House met at 10 o'clock a. m., and was called to order by Speaker Barron.

BILLS ORDERED NOT PRINTED.

(By Unanimous Consent.)

On motion of Mr. Johnson of Dimmit, Senate bill No. 251 and House bill No. 551 were ordered not printed.

On motion of Mr. Webb, Senate bill No. 359 was ordered not printed.

On motion of Mr. Reader, Senate bill No. 49 was ordered not printed.

On motion of Mr. Williams of Travis, Senate bill No. 426 was ordered not printed.

On motion of Mr. McGill, Senate bills Nos. 232 and 257 were ordered not printed.

BILL ORDERED PRINTED.

On motion of Mr. Bond, House bill No. 366, reported adversely, with a minority favorable report, was ordered printed.

MOTION TO PRINT.

Mr. Jenkins moved that House bill No. 27, reported adversely, with a minority favorable report, be printed.

The motion was lost.

HOUSE BILL NO. 532 ON SECOND READING.

On motion of Mr. Jenkins, by unanimous consent, the regular order of business was suspended to take up and place on its second reading and passage to engrossment

H. B. No. 532. A bill to be entitled "An Act to provide for the appointment of an assistant district attorney in certain counties."

The Speaker laid the bill before the House, and it was read second time.

Mr. Finlay offered the following amendment to the bill:

Amend House bill No. 532 by striking out all of Section 1 after the word "year" in line 16.

The amendment was adopted.

House bill No. 532 was then passed to engrossment.

BILL RECOMMITTED.

On motion of Mr. Nicholson, by unanimous consent, House bill No. 499

was recommitted to the Committee on Municipal and Private Corporations.

HOUSE BILL NO. 10 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 10, A bill to be entitled "An Act authorizing the creation of junior college districts; embracing the territory; fixing the assessed valuation; providing for the calling of an election; the management and control of the junior college; number of trustees, how they should be elected, term of office; providing for the trustees to make affidavits before entering upon their duties."

The bill was read third time.

Mrs. Negley offered the following amendment to the bill:

Amend House bill No. 10, on page 7, by striking out lines 2, 3 and the first two words of line 4, and inserting in lieu thereof the following, "if a majority of the voters paying taxes upon real property within said city or district shall be in favor thereof."

Mr. Keller moved the previous question on the amendment, and the main question was ordered.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost (not receiving the necessary two-thirds vote), by the following vote:

Yeas—66.

Ackerman.	King.
Adkins.	Land.
Avis.	Lee.
Bateman.	Long of Houston.
Bond.	Mankin.
Brooks.	Martin.
Carpenter.	Mauritz.
Chastain.	McDonald.
Duvall.	McGill.
Enderby.	McKean.
Finlay.	Murphy.
Gates.	Negley.
Gerron.	Nicholson.
Giles.	O'Neill.
Graves	Pavlica.
of Williamson.	Petsch.
Hardy.	Pope of Jones.
Harrison.	Purl.
Heaton.	Quinn.
Hopkins.	Richardson.
Hornaday.	Rogers.
Hubbard.	Rountree.
Jenkins.	Sanders.
Johnson	Savage.
of Dimmit.	Sherrill.
Jones.	Shipman.
Kincaid.	Simmons.

Speck.	Van Zandt.
Stephens.	Veatch.
Stevenson.	Warwick.
Storey.	Webb.
Strong.	Woodall.
Thurmond.	Young.
Tillotson.	

Nays—45.

Albritton.	Kenyon.
Baker.	Kinnear.
Barnett.	Lemens.
Beck.	Long of Wichita.
Bounds.	Maynard.
Bradley.	McCombs.
Brice.	Mehl.
Coltrin.	Minor.
Conway.	Moore.
Cox of Navarro.	Mosely.
Cox of Lamar.	Mullally.
Cox of Limestone.	Patterson.
Davis.	Pool.
DeWolfe.	Ray.
Ewing.	Reader.
Forbes.	Reid.
Gilbert.	Renfro.
Graves of Erath.	Smith.
Harding.	Snelgrove.
Harman.	Tarwater.
Justiss.	White.
Keeton.	Woodruff.
Keller.	

Present—Not Voting.

Kennedy.

Absent.

Anderson.	Olsen.
Baldwin.	Palmer.
Dunlap.	Pope of Nueces.
Eickenroht.	Prendergast.
Fuchs.	Shaver.
Hefley.	Shelton.
Hines.	Sinks.
Holder.	Turner.
Johnson of Scurry.	Waddell.
Kayton.	Westbrook.
Kemble.	Wiggs.
Loy.	Williams
Metcalf.	of Travis.
Morse.	

Absent—Excused.

Acker.	Wallace.
Finn.	Walters.
Harper.	Williams
Hogg.	of Sabine.
Johnson of Smith.	Williams
Montgomery.	of Hardin.
Thompson.	

Mr. Quinn offered the following amendment to the bill:

Amend House bill No. 10, committee amendment No. 1, page 11, Section 19, line 37, by adding, between the letter

"a" and the word "majority," the words "two-thirds."

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost (not receiving the necessary two-thirds vote) by the following vote:

Yeas—58.

Adkins.	McDonald.
Albritton.	McGill.
Avis.	McKean.
Bateman.	Mosely.
Bond.	Murphy.
Brice.	Negley.
Brooks.	O'Neill.
Chastain.	Pavlica.
Duvall.	Petsch.
Enderby.	Pope of Jones.
Finlay.	Purl.
Gates.	Quinn.
Gerron.	Reader.
Giles.	Richardson.
Graves	Rogers.
of Williamson.	Sherrill.
Hardy.	Shipman.
Harrison.	Snelgrove.
Heaton.	Speck.
Hopkins.	Stephens.
Hornaday.	Stevenson.
Jenkins.	Storey.
Johnson	Strong.
of Dimmit.	Tarwater.
Jones.	Thurmond.
Kennedy.	Tillotson.
Kincaid.	Van Zandt.
King.	Veatch.
Land.	Warwick.
Lee.	Webb.
Long of Houston.	Williams
Mankin.	of Travis.
Martin.	Woodall.
Mauritz.	

Nays—41.

Baker.	Kenyon.
Barnett.	Kinnear.
Beck.	Lemens.
Bounds.	Long of Wichita.
Bradley.	Maynard.
Carpenter.	McCombs.
Coltrin.	Mehl.
Conway.	Moore.
Cox of Navarro.	Mullally.
Cox of Lamar.	Patterson.
Cox of Limestone.	Ray.
DeWolfe.	Reid.
Ewing.	Renfro.
Forbes.	Rountree.
Gilbert.	Savage.
Graves of Erath.	Simmons.
Harding.	Smith.
Justiss.	White.
Keeton.	Woodruff.
Keller.	Young.

Absent.	
Ackerman.	Minor.
Anderson.	Morse.
Baldwin.	Nicholson.
Davis.	Olsen.
Dunlap.	Palmer.
Eickenroht.	Pool.
Fuchs.	Pope of Nueces.
Harman.	Prendergast.
Hefley.	Sanders.
Hines.	Shaver.
Holder.	Shelton.
Hubbard.	Sinks.
Johnson of Scurry.	Turner.
Kayton.	Waddell.
Kemble.	Westbrook.
Loy.	Wiggs.
Metcalf.	

Absent—Excused.

Acker.	Wallace.
Finn.	Walters.
Harper.	Williams
Hogg.	of Sabine.
Johnson of Smith.	Williams
Montgomery.	of Hardin.
Thompson.	

Mr. Woodall moved the previous question on the passage of the bill, and the main question was ordered.

House bill No. 10 was then passed by the following vote:

Yeas—64.

Mr. Speaker.	Justiss.
Adkins.	Keeton.
Albritton.	Keller.
Baker.	Kenyon.
Barnett.	Kinnear.
Beck.	Lemens.
Bounds.	Long of Houston.
Bradley.	Long of Wichita.
Brice.	Martin.
Brooks.	Mauritz.
Carpenter.	Maynard.
Coltrin.	McCombs.
Conway.	Mehl.
Cox of Navarro.	Minor.
Cox of Lamar.	Moore.
Cox of Limestone.	Mosely.
DeWolfe.	Mullally.
Duvall.	Patterson.
Enderby.	Pool.
Ewing.	Purl.
Forbes.	Quinn.
Gates.	Ray.
Gilbert.	Reid.
Giles.	Renfro.
Graves of Erath.	Rountree.
Hardy.	Savage.
Harding.	Smith.
Harrison.	Speck.
Hornaday.	Strong.
Johnson	Warwick.
of Dimmit.	Webb.

White.	Young.
Woodruff.	Nays—44.
Ackerman.	Murphy.
Avis.	Negley.
Bateman.	Nicholson.
Bond.	O'Neill.
Chastain.	Pavlica.
Finlay.	Petsch.
Gerron.	Pope of Jones.
Graves	Reader.
of Williamson.	Rogers.
Heaton.	Sherrill.
Hopkins.	Shipman.
Hubbard.	Simmons.
Jenkins.	Snelgrove.
Jones.	Stephens.
Kennedy.	Stevenson.
Kincaid.	Storey.
King.	Tarwater.
Land.	Thurmond.
Lee.	Tillotson.
Mankin.	Van Zandt.
McDonald.	Veatch.
McGill.	Woodall.
McKean.	

Absent.

Anderson.	Olsen.
Baldwin.	Palmer.
Davis.	Pope of Nueces.
Dunlap.	Prendergast.
Eickenroht.	Richardson.
Fuchs.	Sanders.
Harman.	Shaver.
Hefley.	Shelton.
Hines.	Sinks.
Holder.	Turner.
Johnson of Scurry.	Waddell.
Kayton.	Westbrook.
Kemble.	Wiggs.
Loy.	Williams
Metcalf.	of Travis.
Morse.	

Absent—Excused.

Acker.	Wallace.
Finn.	Walters.
Harper.	Williams
Hogg.	of Sabine.
Johnson of Smith.	Williams
Montgomery.	of Hardin.
Thompson.	

Mr. Patterson moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 458 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, H. B. No. 458, A bill to be entitled

"An Act to create La Feria water control and improvement district, Cameron county number three (3), in Cameron county, Texas; validating and approving all orders made by the commissioners court of said county in respect to the original organization of said district as a water improvement district under Article 3, Section 52, of the Constitution; validating and approving all orders made by the board of directors of said district converting said district to a conservation and reclamation district under Section 59 of Article 16 of the Constitution of the State of Texas; validating all assessments of taxes, the authorization, issuance and sale of bonds thereof, and providing for their payment, and the issuance and sale of the bonds of said district, and providing for their payment by the annual levy, assessment, and collection of general and ad valorem taxes on all taxable property in said district; approving and validating all orders of the commissioners court of said county and of the board of directors of said district, bonds and taxes, or certified copies thereof, and constituting all such orders and their record legal evidence; providing that proof of publication of constitutional notice required in the enactment of this act has been duly made; enacting provisions incident and necessary to the subject and purpose of this act; and declaring an emergency."

The bill was read third time and was passed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 9, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed:

H. C. R. No. 17, Providing for the return of Senate concurrent resolution No. 19 to the House for further consideration (and Senate concurrent resolution No. 19 is returned herewith).

S. B. No. 236, A bill to be entitled "An Act to permit the State of Texas or any Texas corporation created as an eleemosynary institution without profit to own or acquire, and to permit counties to make grants and donations thereto, of any properties heretofore acquired by any such county for seawall purposes; repealing all laws and parts of laws in conflict with the provisions of this act, and declaring an emergency."

S. B. No. 256, A bill to be entitled "An Act fixing the compensation for county tax assessors in counties containing a city with a population of not less than 35,000 and not more than 125,000, according to the last United States census, where the county assessor of taxes compiles and makes a transfer book or card index compiled from the real estate transfers recorded in the county clerk's office showing the names transferred to, last owner assessed to, volume and page, description of property, assessed valuation and the consideration of the transfer; keeps a building permit record or card index of all building permits issued showing name of owner, date of permit, description of the property on which building is located, description of the improvement, the permit valuation and the final valuation of the building inspector; keeps a record of the builders' liens recorded in the county clerk's office, and also keeps a card index file of all automobiles, busses and trucks, licensed and owned on January 1st of each year, showing owner of auto, the owner's address, State Highway license number, make and year model of auto, all of said information for the facilitation of the work in said assessor's office and for the more correctly assessing such classes of property and for the purpose of keeping a close check on same; the commissioners court shall allow said assessor who compiles and uses such records extra compensation, not exceeding \$1200 annually, beginning with the fiscal year 1929, to be paid in twelve monthly payments, same to be retained by said assessor as ex-officio salary exclusive of the maximum salary allowed by law; and declaring an emergency."

S. B. No. 396, A bill to be entitled "An Act granting permission to H. E. Crofts to bring suit against the State of Texas, in the district court of Blanco county, Texas, for damages for the loss of 101 head of cattle by death by being dipped in an arsenical solution under the provisions of the 'tick eradication' law, known as Chapter 122, Acts of the Thirty-ninth Legislature of the State of Texas; fixing the venue, on whom service of process may be had; providing for the procedure, and that such suit shall be determined on the same principles of law which would be applicable to and govern were the defendant a private corporation; providing that such suit may be filed within two years after this act takes effect; that such cause of action shall not be barred until two

years after this act takes effect; and declaring an emergency."

S. B. No. 367, A bill to be entitled "An Act to create Willacy county water control and improvement district No. 1, embracing lands in the counties of Willacy and Hidalgo, in the State of Texas, as a conservation and reclamation district and body politic and corporate, under Section 59, Article 16, of the Constitution, and defining its boundaries, and declaring an emergency."

H. J. R. No. 6, Proposing an amendment to the Constitution of the State of Texas, providing for a Supreme Court of nine members and for continuous sessions of that court.

Respectfully,
MORRIS C. HANKINS.

Assistant Secretary of the Senate.

HOUSE BILL NO. 88 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 88, A bill to be entitled "An Act regulating the slaughter and sale of the meat of animals for market and providing that every person engaged in the occupation of a butcher or slaughterer of cattle in this State shall file a bond, to be approved by the county judge of the county in which he desires to carry on such business, setting out the terms of said bond, and providing penalties for violation thereof."

The bill was read second time.

On motion of Mr. Rountree, further consideration of the bill was postponed until next Tuesday.

HOUSE BILL NO. 90 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 90, A bill to be entitled "An Act making it unlawful for any teacher or other instructor, in any university, college, normal, public school or other educational institution of this State, which is supported in whole or in part from public funds derived by State or local taxation, to teach as a fact that mankind evolved from a lower order of animals."

The bill was read second time.

Mr. Baker moved that consideration of the bill be postponed until next Tuesday.

Mr. McCombs moved, as a substitute

motion, that further consideration of the bill be postponed indefinitely.

The motion to postpone indefinitely was lost.

Mr. Woodall moved, as a substitute motion, that the bill be set as a special order for 2 o'clock p. m. next Tuesday.

The motion prevailed.

Mr. Woodall moved to reconsider the vote by which the bill was set as a special order.

The motion to reconsider prevailed.

Mr. Woodall then withdrew the motion to set the bill as a special order.

Question then recurring on the motion of Mr. Baker, it prevailed.

HOUSE BILL NO. 91 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 91, A bill to be entitled "An Act providing for the regulation of gins, ginners, ginning; the licensing of ginners; prescribing the conditions of a ginner's bond; providing for proper packing, wrapping, marking, and providing for weighing of seed and lint cotton and cotton seed, and keeping a record of same."

The bill was read second time.

By unanimous consent of the House, further consideration of the bill was postponed until next Tuesday.

HOUSE BILL NO. 92 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 92, A bill to be entitled "An Act making it lawful for the commissioners court of Clay, Archer, Baylor and Young counties to pay out of the general fund of such counties bounties for the destruction of predatory animals."

The bill was read second time.

Mr. Woodruff offered the following amendment to the bill:

Amend House bill No. 92 by adding, in line 2, Section 1, after the word "Young," the words "Wise, Wilbarger, Wichita, Coryell, Callahan, Jackson, Eastland, Wharton, Brazos."

The amendment was adopted.

House bill No. 92 was then passed to engrossment.

HOUSE BILL NO. 92 ON THIRD READING.

Mr. Sherrill moved that the consti-

tutional rule requiring bills to be read on three several days be suspended and that House bill No. 92 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105.

Mr. Speaker.	Lee.
Ackerman.	Lemens.
Adkins.	Long of Wichita.
Albritton.	Mankin.
Avis.	Martin.
Baker.	Mauritz.
Barnett.	Maynard.
Bateman.	McCombs.
Beck.	McDonald.
Bond.	McGill.
Bounds.	McKean.
Bradley.	Minor.
Brice.	Mosely.
Brooks.	Murphy.
Carpenter.	Negley.
Chastain.	Nicholson.
Conway.	O'Neill.
Cox of Navarro.	Pavlica.
Cox of Limestone.	Petsch.
Davis.	Pool.
DeWolfe.	Pope of Jones.
Dunlap.	Prendergast.
Duvall.	Purl.
Enderby.	Quinn.
Ewing.	Ray.
Finlay.	Reid.
Forbes.	Renfro.
Gates.	Richardson.
Gerron.	Rogers.
Gilbert.	Sanders.
Giles.	Savage.
Graves of Erath.	Sherrill.
Graves	Shipman.
of Williamson.	Simmons.
Hardy.	Smith.
Harding.	Snelgrove.
Harman.	Speck.
Harrison.	Stephens.
Heaton.	Stevenson.
Hopkins.	Storey.
Hornaday.	Strong.
Hubbard.	Tarwater.
Jenkins.	Thurmond.
Johnson	Tillotson.
of Dimmit.	Van Zandt.
Jones.	Veatch.
Justiss.	Wallace.
Keller.	Warwick.
Kennedy.	Webb.
Kenyon.	White.
Kincaid.	Williams
King.	of Travis.
Kinnear.	Woodall.
Land.	Woodruff.

Absent.

Anderson.	Coltrin.
Baldwin.	Cox of Lamar.

Eickenroht.	Mullally.
Fuchs.	Olsen.
Hefley.	Palmer.
Hines.	Patterson.
Holder.	Pope of Nueces.
Johnson of Scurry.	Reader.
Kayton.	Rountree.
Keeton.	Shaver.
Kemble.	Shelton.
Long of Houston.	Sinks.
Loy.	Turner.
Mehl.	Waddell.
Metcalfe.	Westbrook.
Montgomery.	Wiggs.
Moore.	Young.
Morse.	

Absent—Excused.

Acker.	Walters.
Finn.	Williams
Harper.	of Sabine.
Hogg.	Williams
Johnson of Smith.	of Hardin.
Thompson.	

The Speaker then laid House bill No. 92 before the House on this third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—101.

Mr. Speaker.	Hardy.
Ackerman.	Harding.
Adkins.	Harrison.
Albritton.	Heaton.
Anderson.	Hopkins.
Baker.	Hornaday.
Barnett.	Jenkins.
Bateman.	Johnson
Beck.	of Dimmit.
Bond.	Jones.
Bounds.	Justiss.
Bradley.	Keller.
Brice.	Kennedy.
Brooks.	Kenyon.
Carpenter.	Kincaid.
Chastain.	King.
Conway.	Kinnear.
Cox of Lamar.	Land.
Cox of Limestone.	Lee.
Davis.	Lemens.
DeWolfe.	Long of Wichita.
Dunlap.	Mankin.
Duvall.	Martin.
Enderby.	Mauritz.
Ewing.	Maynard.
Finlay.	McCombs.
Forbes.	McDonald.
Gates.	McGill.
Gerron.	McKean.
Gilbert.	Minor.
Giles.	Mosely.
Graves	Mullally.
of Williamson.	Murphy.
Graves of Erath.	Negley.

O'Neill.	Snelgrove.
Pavlica.	Speck.
Petsch.	Stephens.
Pool.	Stevenson.
Pope of Jones.	Storey.
Prendergast.	Strong.
Purl.	Tarwater.
Quinn.	Thurmond.
Ray.	Tillotson.
Reid.	Van Zandt.
Renfro.	Veatch.
Richardson.	Wallace.
Rogers.	Warwick.
Sanders.	Webb.
Savage.	Williams
Sherrill.	of Travis.
Shipman.	Woodall.
Simmons.	Woodruff.
Smith.	

Absent.

Avis.	Moore.
Baldwin.	Morse.
Coltrin.	Nicholson.
Cox of Navarro.	Olsen.
Eickenroht.	Palmer.
Fuchs.	Patterson.
Harman.	Pope of Nueces.
Hefley.	Reader.
Hines.	Rountree.
Holder.	Shaver.
Hubbard.	Shelton.
Johnson of Scurry.	Sinks.
Kayton.	Thompson.
Keeton.	Turner.
Kemble.	Waddell.
Long of Houston.	Westbrook.
Loy.	White.
Mehl.	Wiggs.
Metcalfe.	Young.
Montgomery.	

Absent—Excused.

Acker.	Walters.
Finn.	Williams
Harper.	of Sabine.
Hogg.	Williams
Johnson of Smith.	of Hardin.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 8, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 459, A bill to be entitled "An Act to create Hidalgo county water control and improvement district No. 6, in Hidalgo county, Texas; validating and approving all orders made by the commissioners court of said county in respect to the organization of said dis-

trict; validating and approving the election held in said district on March 21, 1927, for the confirmation of the formation of said district and the issuance of \$50,000 in preliminary bonds and the levy of a tax in payment thereof; validating and approving the election held within said district on August 27, 1927, for the issuance of bonds in an amount not to exceed \$1,600,000, and levying a tax in payment thereof; evidencing proof of the publication of constitutional notice required in such cases; and declaring an emergency."

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

STATEMENT OF MR. PURL IN REGARD TO THE PRINTING OF HOUSE JOURNAL.

Mr. Purl asked unanimous consent of the House to correct that part of the resolution, previously offered by him, and passed by the House, relating to the printing of the Journal and House bills, stating that he desired all references to printing in the Journal omitted from the resolution and the Permanent Journal, as it was an error to include the printing of the House Journal in the resolution.

He also stated that up to this date, so far as he knew, no error had appeared in the printing of the House Journal.

RECESS.

Mr. Snelgrove moved that the House adjourn until 10 o'clock a. m. next Monday.

Mr. Speck moved that the House recess until 2 o'clock p. m. today.

Mr. Woodruff moved that the House recess to 1:30 o'clock p. m. today.

Mr. Quinn moved that the House recess to 2:30 o'clock p. m. today.

The motion of Mr. Woodruff prevailed, and the House accordingly, at 12 o'clock m., took recess to 1:30 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 1:30 o'clock p. m., and was called to order by the Speaker.

HOUSE BILL NO. 114 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 114, A bill to be entitled "An Act to establish and maintain a

dairy, poultry, pecan, crops and other native products experiment station on the Miles Roscoe and Abilene soil type in Taylor, Jones, Callahan and Shackelford counties, Texas, within a radius of twenty-five miles of Abilene, Taylor county, Texas; authorizing the board of directors of the Agricultural and Mechanical College of Texas to select a suitable location for said station, and empowering said board to establish and maintain same, to accept donations of lands, water, live stock, seeds, plants and money for the establishment of said station."

The bill was read second time.

On motion of Mr. Speck, further consideration of the bill was postponed until next Tuesday.

HOUSE BILL NO. 125 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 125, A bill to be entitled "An Act to amend Article 2902, Revised Statutes, 1925, fixing the scholastic age of pupils in the public free schools, and repealing all laws and parts of laws in conflict therewith."

The bill was read second time.

On motion of Mr. White, the bill was laid on the table subject to call.

HOUSE BILL NO. 126 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 126, A bill to be entitled "An Act to amend Article 2889a, Revised Statutes, 1925, relating to certification of teachers in the public free schools; repealing all laws in conflict therewith."

The bill was read second time.

By unanimous consent of the House, further consideration of the bill was postponed until next Tuesday.

HOUSE BILL NO. 132 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 132, A bill to be entitled "An Act to amend Article 2529 of Chapter 1, Title 47, of the Revised Civil Statutes of the State of Texas of 1925, as amended by Chapter 57 of the Acts of the First Called Session of the Fortieth Legislature, relating to the collateral

security to be pledged by depositories for securing State funds, by depositing a depository bond with the State Treasurer, or by pledging with the State Treasurer bonds and certificates of indebtedness of the United States, obligations and pledges of the University of Texas."

The bill was read second time.

Mr. McCombs offered the following (committee) amendment to the bill:

By striking out the words "obligations and pledges of the University of Texas" and insert in lieu thereof "obligations of the University of Texas issued by the board of regents of the University of Texas under authority of Article 2592, Revised Statutes of Texas of 1925."

The amendment was adopted.

House bill No. 132 was then passed to engrossment.

HOUSE BILL NO. 148 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 148, A bill to be entitled "An Act making it a felony for the fraudulent taking of any chicken, turkey, duck, goose, or other domestic fowl, etc."

The bill was read second time.

On motion of Mr. Giles, further consideration of the bill was postponed until next Tuesday.

HOUSE BILL NO. 156 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 156, A bill to be entitled "An Act amending Article 1838 of Chapter 3, Title 37, of the Revised Civil Statutes of 1925, as amended, relating to the transfer of cases in Courts of Civil Appeals, so as to make provision for the clerk or his deputy to accompany the justices of the court to the places to which cases have been transferred to discharge the duties of his office in connection with such transferred cases."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 168 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 168, A bill to be entitled

"An Act to amend House bill No. 52, Chapter 42, of the General and Special Laws passed by the Fortieth Legislature at its Regular Session, which said House bill No. 52, Chapter 42, created the 84th Judicial District, the amendment extending the said House bill No. 52, Chapter 42, in force; and providing that same shall be revised and be extended beyond the time of its expiration, so that it would not expire within two years from the time that it took effect, as was provided in said Chapter 42, providing that the 84th Judicial District shall continue in force, to be composed of the counties of Carson, Hutchinson, Hansford, Ochiltree and Hemphill."

The bill was read second time.

On motion of Mr. White, the bill was laid on the table subject to call.

HOUSE BILL NO. 181 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 181, A bill to be entitled "An Act to amend the laws relating to the county court at law of Harris county; to amend Sections 3 and 5, Chapter 8, of the General Laws of the Thirty-third Legislature, passed at its Regular Session."

The bill was read second time.

On motion of Mr. Keller, the bill was laid on the table subject to call.

HOUSE BILL NO. 182 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 182, A bill to be entitled "An Act to amend the laws relating to the county court at law No. 2 of Harris county, Texas; to amend Sections 2, 4 and 12 of Chapter 8 of the General Laws of the Thirty-fourth Legislature, passed at its First Called Session; to repeal Sections 3, 9, 10, 13 and 16, Chapter 8, of the General Laws of the Thirty-fourth Legislature, passed at its First Called Session; to provide for the exchange of benches and the transfer of cases."

The bill was read second time.

On motion of Mr. Keller, the bill was laid on the table subject to call.

HOUSE BILL NO. 195 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 195, A bill to be entitled "An Act providing that all sales of real estate for the collection of delinquent taxes due thereon shall be made only after foreclosure of tax lien securing same in accordance with existing laws governing delinquent tax foreclosure suits."

The bill was read second time.

Mr. Kennedy offered the following amendment to the bill:

Amend House bill No. 195, in line 14, by adding after "real estate" the words "all property."

The amendment was adopted.

Mr. Hardy moved to reconsider the vote by which the amendment was adopted.

The motion to reconsider prevailed.

Mr. Kennedy withdrew the amendment.

House bill No. 195 was then passed to engrossment.

HOUSE BILL NO. 232 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 232, A bill to be entitled "An Act placing a closed season on wild prairie chickens in certain counties; providing a penalty for the violation of same; and declaring an emergency."

The bill was read second time.

Mr. Young offered the following (committee) amendment to the bill:

Amend House bill No. 232 by striking out Sections 1, 2, 3, and renumbering Section 4 as Section 2, and insert as Section 1 the following:

Section 1. Article 879f, as amended by Chapter 215, General and Special Laws, Regular Session, Fortieth Legislature, shall be amended hereafter to read as follows:

"Article 879f. There shall be an open season or period of time when it shall be lawful to hunt, take or kill wild prairie chickens or pinnated grouse in both the north and south zones, September 1 to September 10 of each year, both days inclusive, provided, there shall be no open season on wild prairie chickens in the counties of Collingsworth, Donley, Wheeler and Gray." And amend the caption to conform thereto.

Mr. White offered an amendment to the amendment, which was adopted.

The committee amendment as amended was then adopted.

House bill No. 232 was then passed to engrossment.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 8, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 231, A bill to be entitled "An Act amending Chapter 255 of the Acts of the Fortieth Legislature, at its Regular Session, by providing that the counties of Dawson and Howard shall be a part of the Eleventh Supreme Judicial District and removing said counties from the Eighth Supreme Judicial District, and providing for the appeal of cases from Dawson and Howard counties to the Court of Civil Appeals for the Eighth Supreme Judicial District prior to September 1, 1929, and for the appeal of cases from Dawson and Howard counties to the Court of Civil Appeals for the Eleventh Supreme Judicial District subsequent to September 1, 1929."

H. B. No. 213, A bill to be entitled "An Act amending Section 1 of Chapter 22 of the Acts of the Fortieth Legislature, First Called Session, by changing the term and time of holding district court in the county of Cochran, in the Seventy-second Judicial District of Texas; and declaring an emergency."

H. B. No. 479, A bill to be entitled "An Act to create Hidalgo and Cameron counties water control and improvement district No. 9, in Hidalgo and Cameron counties, Texas, validating and approving all orders made by the Board of Water Engineers of the State of Texas in respect to the original organization of said district as a water control and improvement district under Section 59, of Article 16 of the Constitution of the State of Texas; validating an order passed by the board of directors of said district on the 12th day of December, 1927."

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

HOUSE BILL NO. 444 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 444, A bill to be entitled "An Act to provide that in the event there should be awarded to the State of Texas by the final decree of the United States Supreme Court at Washington,

D. C., in its final judgment in the suit of the State of Oklahoma against the State of Texas, the United States, intervener, any area of land, along the 100th degree west longitude adjacent to the east side of the Panhandle of Texas and the west side of Oklahoma, such area shall upon the happening of that event, be and become a portion, part and parcel of and incorporated into the several counties of the State of Texas adjacent thereto for all governmental purposes by the extension of the north and south boundary lines of same east to the true 100th degree of west longitude as may be fixed by said court."

The bill was read second time.

On motion of Mr. Young, further consideration of the bill was postponed until next Tuesday.

HOUSE BILL NO. 54 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 54, A bill to be entitled "An Act authorizing fraternal benefit societies to better provide insurance and annuities upon the lives of children and prescribing the basis of contribution, standards of mortality; for maintenance of adequate reserves; amending Articles 4825, 4826, 4827 and 4828 and repealing all other laws and parts of laws in conflict herewith; and declaring an emergency."

The bill was read second time.

On motion of Mr. Savage, the bill was postponed until next Tuesday.

HOUSE BILL NO. 222 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 222, A bill to be entitled "An Act to amend Article 324 of the Revised Civil Statutes of the State of Texas of 1925, as amended by Chapter 23 of the General Laws of the Regular Session of the Fortieth Legislature of Texas, passed and approved February 12, 1927, relating to the appointment of assistant district attorneys in judicial districts consisting of more than one county, in which there is situated a city of 28,000 population or more, according to the last preceding United States census or any United States census which may hereafter be taken, so as to provide for the appointment of assistant district attorneys in such judicial districts in

which there is situated a city of 22,500 population or over, according to the last preceding United States census or any United States census which may hereafter be taken; and declaring an emergency."

The bill was read second time.

Mr. Johnson of Dimmit offered the following (committee) amendments to the bill:

(1)

Amend by striking out the words "last preceding" in line 36 and inserting in lieu thereof the figures "1920."

(2)

Amend by inserting between the words "or" and "any" in line 37 the following words, "in districts consisting of more than one county in which there is situated a city of 28,000 population or over according to."

The amendments were severally adopted.

House bill No. 222 was then passed to engrossment.

HOUSE BILL NO. 233 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 233, A bill to be entitled "An Act to repeal Article 6899, Title 121, Chapter 1, of the Revised Civil Statutes of 1925, and declaring an emergency."

The bill was read second time.

On motion of Mr. Stevenson, the bill was laid on the table subject to call.

HOUSE BILL NO. 247 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 247, A bill to be entitled "An Act making it a felony for any sheriff, constable, deputy constable, deputy sheriff, justice of the peace, chief of police, policeman or other peace officer to demand, receive or collect the whole or any part of the fine or costs in any misdemeanor case until after the affidavit or information has been filed and judgment of conviction rendered in such case, and prescribing the punishment therefor."

The bill was read second time.

Mr. Kennedy offered the following amendment to the bill:

Amend House bill No. 247 by inserting the words "county attorney" after the words "justice of the peace" in line

8, page 1; also in line 17, after the words "justice of the peace."

The amendment was adopted.

Mr. Purl offered the following amendment to the bill:

Amend House bill No. 247 by adding a new section to be known as Section 1a to read as follows:

"Provided, nothing in this act shall be construed to prohibit any night or day sergeant from accepting fines while at his post of duty, provided the judge of said court authorizes in writing said officer in charge to accept a definite stipulated amount for certain offenses."

(Pending consideration of the bill, Mr. Petsch occupied the chair temporarily.)

Question—Shall the amendment by Mr. Purl be adopted?

The House, by unanimous consent, postponed further consideration of the bill until next Tuesday.

HOUSE BILL NO. 340 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 340, A bill to be entitled "An Act creating a more efficient road system for Hemphill county, Texas; providing that the county commissioners shall be road commissioners of their respective precincts; providing that such commissioners shall have charge of the road teams, tools, machinery and appliances of said county under the direction of the commissioners court; providing for the laying out, establishment and construction of roads, bridges and culverts, and for the repair and maintenance thereof, etc.; and declaring an emergency."

The bill was read second time.

Mr. White offered the following (committee) amendments to the bill:

(1)

Amend House bill No. 340 by inserting the date "January 1st, 1929," in lieu of "March 1st, 1929," wherever such date may appear in said bill.

(2)

Amend House bill No. 340 by adding thereto another section, to be known and numbered Section 4a, and to read as follows:

"Section 4a. From and after the taking effect of this act, it shall be unlawful for the commissioners court of Hemphill county to issue or cause to be issued any warrant, scrip or other evidence of indebtedness or to create any

debt against the road and bridge fund of said county except as authorized by this act in excess of current revenues of said county for road and bridge purposes; provided, that in case of great calamity or urgent public necessity, said court may issue warrants against the road and bridge fund in excess of the current revenues for the purpose of repairing roads and building bridges occasioned by such calamity or urgent public necessity, but in no instance shall such warrants exceed the limitations provided by the Constitution and laws of this State; and provided further, that no warrant shall be issued for such purposes until first authorized by order passed by said court; and provided further, that said order shall recite fully the necessity therefor and particularly specify the several purposes for which said warrants are to be issued, which said order shall be spread upon the minutes of said court and shall be published at least one time in some newspaper published in Hemphill county before said warrants are issued; if no newspaper is being published in said county, then in some newspaper in an adjoining county nearest the county seat of said Hemphill county."

Amend the caption to conform thereto.

The amendments were severally adopted.

House bill No. 340 was then passed to engrossment.

HOUSE BILL NO. 383 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 383, A bill to be entitled "An Act creating a more efficient road system for Dickens county, Texas; providing that the county commissioners shall be road commissioners of their respective precincts; providing that such commissioners shall have charge of the road teams, tools, machinery and appliances of said county under the direction of the commissioners court; providing for the laying out, establishment and construction of roads, bridges and culverts, and for the repair and maintenance thereof; providing that the commissioners court shall co-operate with the State Highway Department in the establishment, construction and maintenance of roads, bridges and culverts to be paid for partly by the county and partly by the State or Federal government; authorizing the commissioners court of Dickens county to issue bonds

of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof, and providing that if the validity of the indebtedness to be funded by such bonds is not questioned in any suit or proceeding within sixty days from the adoption of the order of the commissioners court authorizing the issuance of such bonds, then such indebtedness shall be conclusively presumed to be valid; and declaring an emergency."

The bill was read second time.

Mr. Van Zandt offered the following (committee) amendments to the bill:

(1)

Amend House bill No. 383 by inserting the date "January 1st, 1929," in lieu of "March 1st, 1929," wherever such date may appear in said bill.

(2)

Amend H. B. No. 383 by adding thereto another section, to be known and numbered Section 4a, and to read as follows:

"Section 4a. From and after the taking effect of this act, it shall be unlawful for the commissioners court of Dickens county to issue or cause to be issued any warrant, scrip or other evidence of indebtedness or to create any debt against the road and bridge fund of said county, except as authorized by this act, in excess of the current revenues of said county for road and bridge purposes; provided, that in case of great calamity or urgent necessity said court may issue warrants against the road and bridge fund in excess of the current revenues for the purpose of repairing roads and building bridges occasioned by such calamity or urgent public necessity, but in no instance shall such warrants exceed the limitations provided by the Constitution and laws of this State; and further provided, that no warrant shall be issued for such purposes until first authorized by order passed by said court; and provided further, that said order shall recite fully the necessity therefor and particularly specify the several purposes for which said warrants are to be issued, and which said order shall be spread upon the minutes of said court and shall be published at least one time in some newspaper published in Dickens county before said warrants are issued; if no newspaper is being published in said county, then in some newspaper in an adjoining county nearest the county seat of said Dickens county."

And amend the caption to conform with these changes in the amendments. The amendments were severally adopted.

House bill No. 383 was then passed to engrossment.

SENATE BILL NO. 206 ON SECOND READING.

The Speaker laid before the House, and its second reading and passage to third reading,

S. B. No. 206, A bill to be entitled "An Act creating a more efficient road system for Lamb county, Texas; providing that the county commissioners shall be road commissioners of their respective precincts; providing that such commissioners shall have charge of the road teams, tools, machinery and appliances of said county under the direction of the commissioners court; providing for the laying out, establishment and construction of roads, bridges and culverts, and for the repair and maintenance thereof; providing that the commissioners court shall co-operate with the State Highway Department in the establishment, construction and maintenance of roads, bridges and culverts to be paid for partly by the county and partly by the State or Federal government; authorizing the commissioners court of Lamb county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof, and providing that if the validity of the indebtedness to be funded by such bonds is not questioned in any suit or proceeding within sixty days from the adoption of the order of the commissioners court authorizing the issuance of such bonds, then such indebtedness shall be conclusively presumed to be valid, and declaring an emergency."

The bill was read second time.

On motion of Mr. Tarwater, the bill was laid on the table subject to call.

HOUSE BILL NO. 404 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 404, A bill to be entitled "An Act to amend the special road law for Panola county passed by the Twenty-eighth Legislature at its Regular Session, being designated Chapter 24 of the Local and Special Laws, as amended by Chapter 18, passed during the Regular Session of the Thirty-third Legisla-

ture, by adding thereto a new section, to be designated Section 23, to permit the issuance of bonds by said county for the purpose of funding or refunding the indebtedness incurred for road and bridge purposes prior to January 1, 1929."

The bill was read second time.

Mr. Heaton offered the following amendment to the bill:

Amend House bill No. 404 by adding thereto another section, to be known and numbered Section 23a, so as to read as follows:

"Section 23a. From and after the taking effect of this act, it shall be unlawful for the commissioners court of Panola county to issue or cause to be issued any warrant, scrip or other evidence of indebtedness or to create any debt against the road and bridge fund of said county, except as authorized by this act, in excess of the current revenues of said county for road and bridge purposes."

And amend the caption to conform with the changes in the amendment.

The amendment was adopted.

House bill No. 404 was then passed to engrossment.

HOUSE BILL NO. 443 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 443, A bill to be entitled "An Act to amend Chapter 86 of the Local and Special Laws enacted by the Thirty-fifth Legislature at its Regular Session in 1917, same being a special road law for Morris county, by adding thereto Section 27a, authorizing the commissioners court of Morris county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof."

The bill was read second time.

Mr. Murphy offered the following amendments to the bill:

(1)

Amend House bill No. 443 by inserting the date "January 1st, 1929," in lieu of "March 1st, 1929," wherever such date may appear in said bill.

(2)

Amend House bill No. 443 by adding thereto another section, to be known and numbered Section 27b, and to read as follows:

"Section 27b. From and after the

taking effect of this act, it shall be unlawful for the commissioners court of Morris county to issue or cause to be issued any warrant, scrip or other evidence of indebtedness or to create any debt against the road and bridge fund of said county, except as authorized by this act, in excess of the current revenues of said county for road and bridge purposes; provided, that in case of great calamity or urgent public necessity said court may issue warrants against the road and bridge fund in excess of the current revenues for the purpose of repairing roads and building bridges occasioned by such calamity or urgent public necessity, but in no instance shall such warrants exceed the limitations provided by the Constitution and laws of this State; and provided further, that no warrant shall be issued for such purposes until first authorized by an order passed by said court; and provided further, that said order shall recite fully the necessity therefor and particularly specify the several purposes for which said warrants are to be issued, which said order shall be spread upon the minutes of said court and shall be published at least one time in some newspaper published in Morris county before said warrants are issued; if no newspaper is being published in said county, then in some newspaper in an adjoining county nearest the county seat of said Morris county."

And amend the caption to conform with the changes.

The amendments were severally adopted.

House bill No. 443 was then passed to engrossment.

HOUSE BILL NO. 557 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 557, A bill to be entitled "An Act to amend Chapter 78 of the Local and Special Laws created by the Thirty-sixth Legislature at its Regular Session in 1919, same being a special road law for Erath county, as same is amended by Chapter 123, Special Laws of the Fortieth Legislature at its Regular Session in 1927, by changing the date in Section 2a therein from March 1, 1927, to January 1, 1929."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 506 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 506, A bill to be entitled "An Act to amend Chapter 74 of the Local and Special Laws enacted by the Thirty-ninth Legislature at its Regular Session, approved March 7, 1925, same being a special road law for Denton county, by adding thereto Section 19a, authorizing the commissioners court of Denton county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof, and providing that if the validity of the indebtedness to be funded by such bonds is not questioned in any suit or proceeding within sixty days from the adoption of the order of the commissioners court authorizing the issuance of such bonds, then such indebtedness shall be conclusively presumed to be valid."

The bill was read second time.

Mr. Minor offered the following amendments to the bill:

(1)

Amend House bill No. 506 by inserting the date "January 1st, 1929," in lieu of "March 1st, 1929," wherever such date may appear in said bill.

(2)

Amend House bill No. 506 by adding thereto another section, to be known and numbered Section 19c, and to read as follows:

"Section 19c. From and after the taking effect of this act, it shall be unlawful for the commissioners court of Denton county to issue or cause to be issued any warrant, scrip or other evidence of indebtedness or to create any debt against the road and bridge fund of said county, except as authorized by this act, in excess of the current revenues of said county for road and bridge purposes; provided, that in case of great calamity or urgent public necessity said court may issue warrants against the road and bridge fund in excess of the current revenues for the purpose of repairing roads and building bridges occasioned by such calamity or urgent public necessity, but in no instance shall such warrants exceed the limitations provided by the Constitution and laws of this State; and provided further, that no warrant shall be issued for such pur-

pose until first authorized by an order passed by said court; and provided further, that said order shall recite fully the necessity therefor and particularly specify the several purposes for which said warrants are to be issued, which said order shall be spread upon the minutes of said court and shall be published at least one time in some newspaper published in Denton county before said warrants are issued; if no newspaper is being published in said county, then in some newspaper in an adjoining county nearest the county seat of said Denton county."

And amend the caption to conform with changes in amendments.

(3)

Amend House bill No. 506 by changing the interest rate provided for in Section 19a from "six per cent" to "five and a half per cent."

(4)

Amend House bill No. 506 by adding after the word "case" in line 10 of Section 19b the words "as hereinafter provided."

The amendments were severally adopted.

House bill No. 506 was then passed to engrossment.

HOUSE BILL NO. 565 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 565, A bill to be entitled "An Act to levy and collect annually a three-dollar road tax against all able-bodied male citizens of Foard county, Texas, who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collection of said tax, and repealing all laws in conflict therewith; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 539 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 539, A bill to be entitled "An Act to authorize the commissioners court in each county having a population of not less than 10,015 and not more than 10,040 to pay the sheriff of such county for summoning jurors in district or county courts, serving all

legal notices, notices to overseers of roads and doing all other public business for which compensation is not otherwise provided for, not exceeding \$2500 per annum, to be fixed by the commissioners court at the same time other ex-officio salaries are fixed."

The bill was read second time.

Mr. Petsch offered the following (committee) amendment to the bill:

Amend House bill No. 539 by inserting the words, "as shown by the United States census of 1920" after the word "forty" in Section I, and in caption.

The amendment was adopted.

House bill No. 539 was then passed to engrossment.

HOUSE BILL NO. 493 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 493, A bill to be entitled "An Act to prohibit the killing or taking of any doves and quail in Ellis county, Texas, for a period of five years after the passage of this act."

The bill was read second time.

Mr. White offered the following amendment to the bill:

Amend House bill No. 493 by including "Hutchinson, Brown, Concho, Johnson, Foard, San Jacinto, Falls, Travis, Anderson, Harrison, Atascosa, Frio, La Salle, McMullen, Live Oak, Cooke."

On motion of Mr. Sanders, further consideration of the bill was postponed until next Tuesday.

SENATE BILL NO. 128 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 128, A bill to be entitled "An Act relating to the duties of the county board of trustees of public schools in this State in all counties having an area of not more than one thousand and seventy-five (1075) square miles and not less than nine hundred thirty (930) square miles and a population of not less than thirty-four thousand three hundred (34,300), and not more than thirty-four thousand five hundred (34,500) according to the 1920 Federal census, authorizing them to condemn land for school purposes, to subdivide their respective counties into convenient school districts, to increase or reduce the area of independent and common school districts, create addi-

tional districts, consolidate two or more adjacent districts, subdivide said districts, revise or rearrange the boundaries of any district, attach territory thereto or detach territory therefrom, and to adjust the district properties and bonded indebtedness against such districts and detached or added territory upon a just and equitable basis; providing a method of apportioning the school funds to the respective districts and providing for the election of the county board of school trustees; providing other matters and things necessary and incidental to the main purpose and subject of this act, whether mentioned in detail in this caption or not; and repealing all laws, general or special, in conflict therewith, and declaring an emergency."

The bill was read second time and was passed to third reading.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolution:

H. B. No. 459, "An Act to create Hidalgo county water control and improvement district No. 6, in Hidalgo county, Texas; validating and approving all orders made by the commissioners court of said county in respect to the organization of said district; validating and approving the election held in said district on March 21, 1927, for the confirmation of the formation of the said district and the issuance of \$50,000 in preliminary bonds and the levy of a tax in payment thereof; validating and approving the election held within said district on August 27, 1927, for the issuance of bonds in an amount not to exceed \$1,600,000 and levying of a tax in payment thereof; evidencing proof of the publication of constitutional notice required in such cases; and declaring an emergency."

H. B. No. 213, "An Act amending Section 1 of Chapter 22 of the Acts of the Fortieth Legislature, First Called Session, by changing the term and time of holding district court in the county of Cochran, in the Seventy-second Judicial District of Texas; and declaring an emergency."

H. J. R. No. 6, Proposing an amendment to the Constitution of the State of Texas, providing for a Supreme Court of nine members and for continuous sessions of that court.

CONFERENCE COMMITTEE ANNOUNCED.

The Speaker announced the appointment of the following members of the House on the free conference committee on Senate bill No. 150:

Messrs. Storey, Chastain, Young, Woodall and Murphy.

PROPOSED AMENDMENT TO THE HOUSE RULES.

Mr. Mauritz offered the following amendment to the House Rules:

Resolved, That the House of Representatives amend Rule 14, Section 5, by inserting following the word "committees" in second line the following, "after having been mimeographed and one copy furnished to each member of such committee."

The amendment was referred by the Speaker to the Committee on Rules.

HOUSE BILL NO. 421 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 421, A bill to be entitled "An Act providing a ten-year period of limitation for the bringing of suit to recover land based upon certain defects in any instrument, where such instrument which has been or hereafter may be of record for ten years or more."

The bill was read second time.

Mr. Johnson of Dimmit offered the following amendment to the bill:

Amend House bill No. 421 by adding at end of Section 1 the following words, "this act shall be subject to the provisions of Article 5518, Revised Civil Statutes of 1925."

The amendment was adopted.

House bill No. 421 was then passed to engrossment.

HOUSE BILL NO. 455 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 455, A bill to be entitled "An Act to create LaSalle county water improvement district No. 1, embracing lands in the county of LaSalle, in the State of Texas, as a water improvement district and body politic and corporate, under Section 59, Article 16, of the Constitution, and defining its boundaries."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 514 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 514, A bill to be entitled "An Act to amend Chapter 28 of the Local and Special Laws enacted by the Thirty-third Legislature at its Regular Session in 1913, same being a special road law for Childress county, by adding thereto Section 2a, authorizing the commissioners court of Childress county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes and to levy a tax in payment thereof."

The bill was read second time.

Mr. Land offered the following amendment to the bill:

Amend House bill No. 514 by adding thereto another section, to be known and numbered Section 2b, and to read as follows:

"Sec. 2b. From and after the taking effect of this act, it shall be unlawful for the commissioners court of Childress county to issue or cause to be issued any warrant, scrip or other evidence of indebtedness or to create any debt against the road and bridge fund of said county, except as authorized by this act, in excess of the current revenues of said county for road and bridge purposes; provided, that in case of great calamity or urgent public necessity said court may issue warrants against the road and bridge fund in excess of the current revenues for the purpose of repairing roads and building bridges occasioned by such calamity or urgent public necessity, but in no instance shall such warrants exceed the limitations provided by the Constitution and laws of this State; and provided further, that no warrant shall be issued for such purposes until first authorized by an order passed by said court; and provided further, that said order shall recite fully the necessity therefor and particularly specify the several purposes for which said warrants are to be issued, which said order shall be spread upon the minutes of said court and shall be published at least one time in some newspaper published in Childress county before said warrants are issued; if no newspaper is being published in said county, then in some newspaper in an adjoining county nearest the county seat of said Childress county."

And amend caption to conform with changes in amendments.

The amendment was adopted.
House bill No. 514 was then passed to engrossment.

HOUSE BILL NO. 523 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 523, A bill to be entitled "An Act to levy and collect annually a three-dollar road tax against all able-bodied male citizens of Childress county, Texas, who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collection of said tax."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 529 ON SECOND READING.

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 529, A bill to be entitled "An Act to amend Chapter 59 of the Local and Special Laws enacted by the Thirty-fourth Legislature at its Regular Session in 1915, as amended by Chapter 51, Special Laws enacted by the Thirty-ninth Legislature at its First Called Session in 1926, same being a special road law for Wise county, by adding thereto Section 12b, authorizing the commissioners court of Wise county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof."

The bill having heretofore been read second time, with amendment by Mr. Morse and motion by Mr. Woodruff to table the amendment pending.

(Pending consideration of the bill, Mr. Pope of Jones occupied the chair temporarily.)

Question recurring on the motion to table, it prevailed.

Question—Shall the bill be passed to engrossment?

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

Senate bill No. 236, to the Committee on State Eleemosynary and Reformatory Institutions.

Senate bill No. 256, to the Judiciary Committee.

Senate bill No. 396, to the Committee on State Affairs.

Senate bill No. 367, to the Committee on Conservation and Reclamation.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

By Mr. Sanders:

H. B. No. 632, A bill to be entitled "An Act providing for the payment of salaries of county commissioners in Nacogdoches county out of the road and bridge fund; providing for payment of \$3 for road purposes by those liable to road duty in lieu of such road duty; and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. O'Neill and Mr. Bateman:

H. B. No. 633, A bill to be entitled "An Act to amend Section 7 of the Collin county road law, the same being Chapter 79 of the Acts of the First Called Session of the Fortieth Legislature; and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Hogg, Mr. O'Neill, Mrs. Negley, Mr. Hopkins, Mr. Thompson, Mr. McDonald, Mr. Geron, Mr. Tarwater, Mr. Patterson and Mr. Speck:

H. B. No. 634, A bill to be entitled "An Act defining aircraft, public and civil, airman, and providing that in the interest of public safety and desirability of uniform regulation and in the interest of aeronautical progress, that aircraft operating within this State should conform with respect to design, construction and air-worthiness to the standards prescribed by the United States government, and making it unlawful for the navigation of aircraft within this State, whether for commercial, pleasure or non-commercial purposes, unless it is licensed and registered by the Department of Commerce of the United States in the manner prescribed by the lawful rules and regulations of the United States government then in force; providing further, that no person shall serve as an airman in connection with any civil aircraft when such aircraft is flown or operated in this State until he shall have obtained a license under the provision of the Federal Air Commerce Act of 1926 and amendments thereto and the air com-

merce regulations and air traffic rules issued pursuant thereto."

Referred to Committee on Common Carriers.

By Mr. Carpenter:

H. B. No. 635, A bill to be entitled "An Act amending Article 6704 of the Revised Civil Statutes of the State of Texas, 1925, as amended by the Fortieth Legislature at its Regular Session, Chapter 178, page 256, by changing the provisions relative to the width of first-class roads; and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Hines:

H. B. No. 636, A bill to be entitled "An Act to amend Article 4617 of the Revised Civil Statutes of Texas for 1925, so as to authorize an application to be filed by a wife in case the whereabouts of husband are unknown; and also providing for transferring the application to another district court, or exchange benches, in the event the district judge is disqualified to hear the application; and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Bond:

H. B. No. 637, A bill to be entitled "An Act to validate the authorization, issuance and sale of certain school bonds issued by the Phenix independent school district of Kaufman county, Texas, and providing for their payment by the annual levy, assessment and collection of general ad valorem taxes on all property in said district, approving and validating all orders of the board of trustees of said district, bonds and taxes; and changing the name of said district to the 'Stubbs independent school district of Kaufman county, Texas'; and declaring an emergency."

Referred to Committee on School Districts.

By Mr. DeWolfe:

H. B. No. 638, A bill to be entitled "An Act providing for a shrimp and oyster canner's license, manner of making application, fees and form of license, tax on net weight of shrimp and oysters possessed and canned, inspection by Game, Fish and Oyster Commissioner or his deputies, form and manner of keeping records and making reports, suits for recovery of taxes or fees, disposition of taxes, fines and fees,

and other regulations of the shrimp and oyster canning business, penalties; and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Finlay and Mr. Lee:

H. B. No. 639, A bill to be entitled "An Act to amend Chapter 84, Section 2, Acts of the Fortieth Legislature, First Called Session, and repealing Sections 1, 2, 3 and 4 of said chapter; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Referred to Committee on Education.

By Mr. Harman:

H. B. No. 640, A bill to be entitled "An Act to amend Article 2786, Revised Civil Statutes, 1925, by requiring all school district bonds to mature serially, repealing all laws or parts of laws, general or special, in conflict; and declaring an emergency."

Referred to Committee on Education.

By Mr. Land:

H. B. No. 641, A bill to be entitled "An Act creating a more efficient road system for Motley county, Texas; providing that the county commissioners shall be road commissioners of their respective precincts; providing that such commissioners shall have charge of the road teams, tools, machinery and appliances of said county under the direction of the commissioners court; providing for the laying out, establishment and construction of roads, bridges and culverts, and for the repair and maintenance thereof; providing that the commissioners court shall co-operate with the State Highway Department in the establishment and construction and maintenance of roads, bridges and culverts to be paid for partly by the county and partly by the State or Federal government."

Referred to Committee on Highways and Motor Traffic.

By Mr. Hubbard and Mr. Beck:

H. B. No. 642, A bill to be entitled "An Act to accept the benefits and provisions of the Act of Congress authorizing the extension of Federal aid for construction of toll bridges on the highways included in the Federal system, under certain conditions and limitations, 44 United States Statutes, 1398, approved March 3, 1927, to empower the Highway Commission of Texas to co-operate with the Federal Bureau of Roads in the construction of such toll

bridges under the provisions of said Act of Congress, including interstate bridges, to appropriate and use State highway funds for such purpose and to levy and collect such tolls and to authorize the Highway Commission to co-operate and join with the appropriate authorities of an adjoining State in the construction of such bridges and in levying and collecting tolls and in carrying out the provisions of this act and the said Act of Congress; and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Tillotson:

H. B. No. 643, A bill to be entitled "An Act to repeal Article 5314 of the Revised Civil Statutes of 1925, relating to the sale of public school lands; and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 8, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. C. R. No. 12, Providing for the appointment of a joint committee of the House and Senate to investigate the purchase of land for the State Juvenile Training School at Gatesville.

The following are appointed on part of the Senate: Senators Hyer and Hardin.

H. B. No. 358, A bill to be entitled "An Act to amend subdivision 38 of Article 199, Title 8, Revised Statutes of 1925, and providing for changing and prescribing terms and times for holding the courts in the counties composing the Thirty-eighth Judicial District of Texas."

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

ADJOURNMENT.

Mr. Woodruff moved that the House adjourn until 9:30 o'clock a. m. next Monday.

Mr. Van Zandt moved that the House adjourn until 10 o'clock a. m. next Monday.

Mr. McCombs moved that the House adjourn until 9 o'clock a. m. next Monday.

The motion of Mr. Van Zandt prevailed and the House accordingly, at 4:45 o'clock p. m., adjourned until 10 o'clock a. m. next Monday.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills, as follows:

Highways and Motor Traffic: House bills Nos. 492, 582, 553, 3 and 286.

Penitentiaries: House bill No. 602.

Labor: House bills Nos. 398 and 572.

Appropriations: Senate bill No. 286.

Criminal Jurisprudence: House bills Nos. 472, 357, 598, 511, 520, 595, 325 and 581; Senate bills Nos. 26, 2 and 137.

Revenue and Taxation: House bills Nos. 513, 384 and 527.

Public Health: Senate bill No. 49.

Judiciary: House bill No. 584.

Judicial Districts: Senate bills Nos. 449 and 426.

Agriculture: Senate bill No. 251.

Public Lands and Buildings: Senate bills Nos. 257 and 232.

Live Stock and Stock Raising: House bill No. 498; Senate bill No. 359.

The following committees have today filed adverse reports on bills, as follows:

Penitentiaries: House bills Nos. 602 and 7.

Criminal Jurisprudence: House bill No. 264.

Judiciary: House bills Nos. 590, 39 and 29.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, February 9, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 16, A bill to be entitled "An Act to establish and maintain an agricultural experiment station in the blacklands region of Texas, authorizing the board of directors of the Agricultural and Mechanical College of Texas to select a suitable location for said station, and empowering said board of directors to establish and maintain the same, to accept donations of land, water and money for the establishment of said station, making an appropriation to pay

the cost of establishing said station and for the operation of same; and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,

Austin, Texas, February 9, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 75, A bill to be entitled "An Act defining the jurisdiction of the Court of Civil Appeals, and to amend Articles 1819 and 1824 of the Revised Civil Statutes of 1925,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

TWENTY-FOURTH DAY.

(Monday, February 11, 1929.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called and the following members were present:

Mr. Speaker.	Forbes.
Ackerman.	Gates.
Adkins.	Gerron.
Albritton.	Gilbert.
Anderson.	Giles.
Avis.	Graves
Baker.	of Williamson.
Baldwin.	Graves of Erath.
Barnett.	Hardy.
Bateman.	Harding.
Beck.	Harman.
Bond.	Harper.
Bounds.	Harrison.
Bradley.	Heaton.
Brice.	Hefley.
Brooks.	Hines.
Carpenter.	Hogg.
Chastain.	Holder.
Coltrin.	Hopkins.
Conway.	Hubbard.
Cox of Navarro.	Jenkins.
Cox of Lamar.	Johnson
Cox of Limestone.	of Dimmit.
Davis.	Johnson of Smith.
DeWolfe.	Johnson of Scurry.
Dunlap.	Justiss.
Duvall.	Kayton.
Enderby.	Keeton.
Ewing.	Keller.
Eickenroht.	Kennedy.
Finn.	Kincaid.
Finlay.	King.